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10/676,488	09/30/2003	Michael David Dobbs	200309170-1	1706

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EXAMINER	
SARPONG, AKWASI	
ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/676,488	DOBBS, MICHAEL DAVID	
	Examiner	Art Unit	
	AKWASI M. SARPONG	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/30/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sesek (2002/0109867) in view of Takeda (6204937).

1.

Claim 1, Sesek discloses an image reproduction apparatus (Fig. 1) comprising:

a scanning device (Fig. 1 Element 10).

a transparent scanning bed (Fig. 1 Element 11) optically coupled to said scanning device. "Transparent" reads on the glass surface.

an adjustable shade (Fig. 1 Element 16a, 16b, 15a and 15b) associated with said scanning bed (Fig.1 Element 11).

Wherein said adjustable shade **(Bars)** is configured to selectively extended to cover a portion of scanning bed **(scanner surface or Fig. 1 El. 14)** from the edge of the bed to a leading wherein said adjustable shade is configured to be selectively extended from a position adjacent said scanning bed to cover a portion of said scanning bed including from an edge of said scanning bed to a leading edge of said adjustable shade, **(Section: 0024 and 0025, Fig. 1- thus the bars are extended form the edge of the scanner surface to define scan area 14 on the surface of the scanner),** underside

of said shade presented to said scanning device through said bed being colored such that said scanning device output no image when scanning said underside of said shade thereby effectively reducing a size of said scanning bed. **(Section 0025 and 0026- Fig. 9 shows clearly the scan area and the area that is not going to be scanned; also the bars can be used instead of the pointers as shown in Fig. 9).**

Sesek is silent about the functions of the "bars". In other words Sesek does not clearly disclose that if the bars are opaque or placed to shield the light from the light source.

Takedia clearly discloses shielding plates which is used as shade to define a scanable area in a document (Col. 5 Lines 54-67). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Sesek's scanning apparatus to include Takedia's mechanical shielding plate so that the user will not be limited in defining areas in an image as taught by Takedia in Col. 1 Lines 39-47.

Claim 2, Sesek in view of Takedia further discloses wherein said scanning device comprises:

a photoconductive platen **(Sesek: Fig. 1 Element 11).**

a light source configured to illuminate said scanning bed such that said platen obtains a latent image of an object on said scanning bed. **(Sesek: Paragraph 0029 Line 4).**

Claim 3, Sesek in view of Takedia further discloses wherein said scanning bed is configured to receive a document **(Sesek: Fig. 1 Element 14).**

Claim 4, Sesek in view of Takedia further discloses wherein said scanning bed comprises glass **(Sesek: Paragraph 0023 Line 5).**

Claim 5, "wherein said scanning bed comprises plastic," reads on Sesek's sliding shade **(Fig. 1 Element 16a, 16b, 15a, 15 b).**

Claim 6, Sesek in view Takedia further discloses wherein said adjustable shade comprises an opaque material. (Sesek: Note Fig. 1 Elements 16a, 16b, 15a, and 15b are opaque for the purpose of blocking light) and (Takedia: Fig. 8 El. 42R and 42L are opaque materials used to block light during scanning).

Claim 7, Sesek in view of Takedia **(Fig. 8 El. 42(L and R) are light shields that can be adjusted)** adjustable shade further comprises a shade reel including a spring and a lock mechanism**. (Sesek: Fig. 1 Element 16a, 16b, 15a and 15b)**

Claim 8, Sesek in view of Takedia **(Fig. 8 El. 42(L and R) are light shields that can be adjusted)** discloses wherein said opaque material is coiled around said shade reel.

Claim 9, Sesek in view of Takedia further discloses an adjustable shade disposed on each side of said scanning bed **(Sesek: Fig. 1 Element 16a, 16b, 15a and 15b)** and **(Takedia: Fig. 8 El. 42R and 42L are opaque materials used to block light during scanning).**

Claim 10, Sesek in view of Takedia discloses wherein said adjustable shades are coupled to said image reproduction device and said adjustable shades are configured to be drawn to a desired length, maintain said desired length for a desired length of time, and to be retracted by a spring and lock mechanism. **(Sesek: Fig. 9 and 10) and (Sesek: Paragraph 0032 Lines 1-13, Fig. 6, Element 33) and (Takedia: Fig. 8 El. 43(R and L) and 44(R andL) reads on the spring and lock mechanism).**

Claim 11, Sesek discloses a method of adjusting a target area of an image reproduction apparatus (Paragraph 0035 Fig. 8 Element 40) comprising:

selectively covering an edge of scanning bed by drawing a shade **(bars)** over said edge **(Fig. 1 El. 17 and 16)** of said scanning bed (Section 0024 and 0025).

placing said object on said drawn shade (Paragraph 0023 Lines 11-12 Fig. 1 Element 11).

and scanning said object. (Fig. 8 Element 47).

wherein an underside of said shade that is presented to said scanning bed is colored such that said scanning outputs no image of said underside of said shade thereby effectively reducing a size of said scanning bed (Section 0024 and 0025-thus

images at the underside of the bars will not show up as a final product during a scanning operation).

Sesek is silent about the functions of the "bars". In other words Sesek does not clearly disclose that if the bars are opaque or placed to shield the light from the light source.

Takedia clearly discloses shielding plates which is used as shade to define a scanable area in a document (Col. 5 Lines 54-67). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Sesek's scanning apparatus to include Takedia's mechanical shielding plate so that the user will not be limited in defining areas in an image as taught by Takedia in Col. 1 Lines 39-47.

Claim 12, Sesek in view of Takedia **(Sesek: Fig. 9 Elements x1, x2, y1, y2 shows that the distance x1, x2, y1and y2 has to be measured for the pointers to be moved)** discloses wherein said drawing shade comprises: measuring a distance from said shade to a furthest point of a certain condition; and extending said shade equal to said distance.

Claim 13, Sesek **(Note Fig. 1 Elements 16a, 16b, 15a, and 15b are opaque for the purpose of blocking light)** in view of Takedia further disclose wherein said shade

comprises an opaque material; wherein said opaque material is configured to prevent the scanning of an object.

Claim 14, Sesek (Fig. 8 El. 42(L and R) discloses an optical scanner (Fig. 1 El 10) with an adjustable shade (Fig. 1 Element 16a, 16b, 15a and 15b) comprising:

a shade groove or recess disposed at an edge of a scanning bed of said optical scanner and a shade coupled to said shade groove or recess (Section 0024 and 0025, Fig. 1 El 16 and 17) ;

a shade coupled to said shade groove or recess (Fig. 1 Clearly shows that the bars are coupled to groove or recess).

wherein an underside of said shade that is presented to said scanning bed is colored such that said optical scanner does not output any image markings when scanning said underside of said shade thereby effectively reducing a scan target area of said optical scanner (Section 0024 and 0025-thus images at the underside of the bars will not show up as a final product during a scanning operation).

Sesek is silent about the functions of the "bars". In other words Sesek does not clearly disclose that if the bars are opaque or placed to shield the light from the light source. As it is widely know a bar can either be an opaque object which will not allow light to pass through or it can be a transparent object to define area on the document.

Takedia clearly discloses shielding plates which is used as shade to define a scanable area in a document (Col. 5 Lines 54-67). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify

Sesek's scanning apparatus to include Takedia's mechanical shielding plate so that the user will not be limited in defining areas in an image as taught by Takedia in Col. 1 Lines 39-47.

Claim 15, Sesek in view of Takedia discloses wherein said shade comprises opaque material that is concentrically wrapped around said shade reel.

Claim 16, "wherein said shade is wound on said reel which further comprises a spring and lock mechanism" reads on Takedia's Fig. 8 El. 43(R and L) s.

Claim 17, " wherein said spring and lock mechanism is configured to permit said shade to be drawn to a desired length, maintain said desired length for a desired length of time, and to be retracted to said shade reel". Reads on Takedia's threaded screw in EL. 43(R and L) in Fig. 8 since it is used to extend the level of the shielding plates.

Claim 18, Sesek in view of Takedia **(Fig. 8 El. 42(L and R)** discloses a shade wherein an underside of said shade is configured to reflect an emitted light **(Fig. 1 El 16 and 15 (a and b)).**

Claim 19, "wherein said underside of said shade is white also reads on Sesek's Bars (Fig. 1 El. 16 and 15).

Claim 20, Sesek discloses a scanning device for eliminating unwanted areas of a scanned image (Fig. 1) said scanning device comprising:

means for scanning (Fig. 1 Element 10).

means for selectively covering edges **(Bars)** of a scanning bed such that said means for scanning outputs no image markings when scanning said covered portions of said scanning bed **(Section 0024, Fig. 1- thus image markings are produced from only the scan area).**

wherein said means for covering edges of said scanning .bed are configured to selectively reduce an effective scanning area of said means for scanning **(Fig. 1 El 14 clearly shows a reduced scan area, also you can see Fig. 9 and 10).**

Sesek is silent about the functions of the "bars". In other words Sesek does not clearly disclose that if the bars are opaque or placed to shield the light from the light source.

Takedia clearly discloses shielding plates which is used as shade to define a scanable area in a document (Col. 5 Lines 54-67). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Sesek's scanning apparatus to include Takedia's mechanical shielding plate so that the user will not be limited in defining areas in an image as taught by Takedia in Col. 1 Lines 39-47.

Claim 21, Sesek in view of Takedia discloses wherein said means for scanning comprises:

a scanning unit **(Fig. 1 Element 10 in which inherently include a scaning unit, i.e optical reader).**

a transparent scanning bed **(Paragraph 0023 Line 3-6 Fig 1 Element 11)** optically coupled to said scanning unit.

Claim 22, Sesek in view of Takedia discloses wherein said means for shading comprises: a shade reel and an Opaque material coupled to said shade reel. (Takedia: Fig. 8 El. 42(R and L) has to be opaque in order to shield light from the light source)

Claim 23, "wherein said shade reel comprises a spring and lock mechanism configured to allow selective retraction and retraction of said shade reel" reads on Takedia's threaded screw in Fig 8 El. 42 (L and R) since that is the mechanism that operates the movements of the shield plates.

Claim 24, Sesek in view of Takedia discloses a scanning method that further comprising using said scanning from imaging a spine of a bound volume **(Sesek: Spine bound volume has to be excluded from the scan area as disclosed in Fig. 9).**

Claim 25, Sesek in Takedia **(Col. 6 Lines 1-5, Fig. 8 El. 42(L and R) clearly shows that these elements are used for shielding light from the light source)** discloses a method that further comprising using said shade to prevent said scanning

from imaging a notation on a document. **(The notation has to be excluded from the scan area as disclosed in Fig. 9).**

Response to Applicant's arguments

1. Applicant's arguments, see after final argument , filed 3/27/2008, with respect to the rejection(s) of claim(s) 1-25 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sesek.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKWASI M. SARPONG whose telephone number is (571)270-3438. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

AMS
04/14/2008